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NO. 4.

The People's Press.

L. V. & E. T. BLUM,
PUBLISHERS AND PROPRIETORS.

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Select Miscellany.

ENGLISH CHARACTER.

BETHANIA, January 13th, 1873.

Messrs. Editors: Sometime ago I read a statement, made by an American, who was traveling in England, and contrasting the difference of character between the English and French, and he used the following as an illustration:

"Suppose you are traveling on a railway and right opposite from you are seated an Englishman and a Frenchman, you are smoking a cigar and your clothes are set on fire from a spark, and both see it, the Frenchman would immediately apprise you of the fact, and assist in putting it out, the Englishman, on the contrary, would complacently fold his arms, look on with indifference, and let it burn until you found it out of your own accord, and inwardly chuckle at your mishap."

Now the impression left upon the mind, after reading the above, naturally is, that Cousin over the way is a surly, cross-grained, ill-natured sort of a fellow, and that so long as his supply of beef is ample, he does not care the snap of a finger for the rest of mankind.

Some one has said, that the world is just what we make it, and nowhere is this more forcibly illustrated than in travelling. It seems to be the misfortune of some people to be jostled by every one they meet, for the simple reason that they are not willing to give half the way, while others go in smoothly, pleasantly, and find a silver lining to every cloud that passes over them.

It was my good fortune, some years ago, to be brought in contact with quite a number of Englishmen; they were men of culture, christian gentlemen, yet I confess I was afraid of them, and it was some time before we became acquainted; but when we did, my previous impressions were all upset; there was a whole-souledness about them that surprised me, and at the same time won my highest admiration.

Among the number there was one, especially, (he has since died) who filled the ideal of the

"Fine old English gentleman," All of the olden time, he was one of the noblest, and although verging on fourscore years, his step was as elastic as if he were forty. And then, to shake hands with him, and that was something, none of your slight frigid touch—he had a large hand, the index of a larger heart, and the grasp was in accordance with the man; and when over I was about to meet him I knew what was coming and prepared accordingly, by extending the right hand and grasping my shoulder with the left to keep him from pulling it out of the socket.

On one occasion I was indisposed and confined to my room for a week, and as soon as these Englishmen became aware of it, they came to see me every day and manifested the liveliest interest in my recovery, no folding the hands in indifference there.

But it may be said these men were the exception, and do not fairly represent the national character. I entertained the same impression. So, after leaving Bremen harbor in the steamer Ohio, Captain Basse, bound for Baltimore, we stopped part of two days at Southampton to take in coal and block-ice. So like the little boy that was itching for a whipping, I would go among the common class and see if I could blow them off.

My first experiment was down in the hold where they were stowing away the coal. I asked those swarthy coal heavers a number of questions in reference to their avocation, and in every instance received a polite answer; then I went into another department where the tin was being placed. Here there were a number of hands engaged, and one standing by in the capacity of an overlooker, as they are called, here he was a large, grim-looking man, and judging from his exterior I concluded I had at last found what I was in search of, and it was some time before I would venture to approach him, and at one time felt disposed to retreat, and be satisfied with my favorable impressions, and carry the experiment no farther. But, upon second thought, I concluded to address him, let the result be ever so unfavorable. I did as the right lines in his face at once became smooth, and in a pleasant way he imparted all the information I desired, not only in answering my questions, but in voluntarily communicating more than was asked for. This was on the first day of my stay. The next morning I concluded to go on shore. London was only four hours ride from here, and I would have been glad to go, but it was only to say that I had seen there; but my friend and traveling companion, and the only person on board that I knew, was an invalid and could not accompany me, and so I had to forego the wish. England, it is said, has but three days of sunshine in a year, and for once the Fates were propitious in my behalf, and I got the benefit of two of them.

I set out on my tour of exploration alone, and can only say that Southampton, as far as I saw it, is a beautiful place, and the surroundings are truly lovely. I rambled about for several hours, until looking at my watch I found it was time to retrace my steps or run the risk of being left behind, which would not have been very pleasant under the circumstances. The

sun was shining pretty warm as I was returning towards the ship, still I was not conscious that I was walking unusually fast, when, among a number of others that I met was a middle-aged gentleman, very portly, and unmistakably English; he carried a large umbrella spread over him. I had passed him several steps, when he called to me, which caused me to turn round, and he addressed me as follows: "My friend, are you aware that you are walking in great haste and the sun is shining very hot, and you are entirely unprotected; have a care, my friend, and moderate your gait, or you will certainly injure yourself." I thanked him for his well meant advice, and promised to heed it, which I accordingly did, and still got back in good time. Here surely was a laudable concern manifested for the welfare of a fellow-being and a stranger. Would such a thing have occurred in the streets of New York or Philadelphia?—hardly.

has just been the reverse from that assumed in the illustration presented in the beginning of this article, and I believe that Englishmen are always ready to meet us half way in all the social courtesies of life, and while I was pondering these things in my mind, we weighed anchor and steamed down the bay, homeward bound.

When night came on the moon came up out of the water full-orbed, and as the hours sped on I walked the deck alone and watched the twinkling of the lights in the light-houses as we rapidly passed them one by one, until eleven o'clock, when the man on the look-out sang, "All's well," I turned into my berth and was soon asleep, dreaming of loved ones far away. L. R.

Wrongs of the Italian Children.

[From the New York Tribune.] The most startling disclosure which has grown out of the large emigration from Italy is the fact that children are purchased from their parents and brought to this country to earn a living for their owners. The multitude of miserable little wretches who daily and nightly patrol the streets, among the passengers on the ferries, around the doors of theatres and lecture-halls, belong to this class.

They are brought over in gangs and housed in large tenements in Crosby, Elizabeth, Thompson and Baxter streets. They are crowded into small, ill-ventilated, uncarpeted rooms, 18 or 20 in each, and pass the night on the floor with only a blanket to protect them from the severity of the weather. In the mornings they are fed by their temporary guardian with macaroni, served in the filthiest manner, in a large open dish in the centre of the room, after which they are turned out into the streets to beg or to steal until late at night.

More than this, when the miserable little outcasts return to their cheerless quarters they are required to deliver every cent which they have gathered during the day, and if the same be deemed insufficient the children are carefully searched and soundly beaten. In some instances they are treated inhumanly, and it is stated, upon the authority of Mr. Tinelli, of No. 3 Chambers street, that a fire-brand was in one instance applied to the feet of a child who had returned home without enough money to satisfy the demands of the landlord.

Mr. Tinelli stated that young Italian children frequently visited him, and after complaining of the ill-treatment that they received from their masters, lamented that their parents had ever sent them so far away to serve such cruel people. He also stated that a man by the name of Sonsoni came to him some time since and begged for assistance in regaining the custody of three small boys who had escaped to Morristown, N. J.

Having met with a rebuff, Sonsoni procured another lawyer, who went to Morristown to claim the children, on the ground of a contract made in Italy between the parents of the boys and an importer of street musicians. So innocent were the people in Morristown, who had taken the children under their protection, that they compelled the lawyer to leave the town on the next train.

The Fortunes of Our Presidents.

[From the American Historical Record.] Washington left an estate worth nearly \$300,000.

The elder Adams left a moderate fortune at his death. Jefferson died comparatively poor. If Congress had not purchased his library at a price far above its value (\$20,000) he would with difficulty have kept out of bankruptcy at the close of his life.

Madison saved his money and was comparatively rich. The fortune of his widow was increased by the purchase of his manuscript papers by Congress for \$30,000.

James Monroe, the sixth President, died so poor that he was buried at the expense of his relatives, in a cemetery between Second and Third street, near the Bowery, in New York city.

John Quincy Adams left about \$50,000, the result of industry, prudence, and a small inheritance. He was methodical and economical. Andrew Jackson left a valuable estate known as the Hermitage, about twelve miles from Nashville, Tenn.

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James Tyler was a bankrupt when he became President. He husbanded his means while in office, and married a rich wife, and died wealthy in worldly fortune. Zachary Taylor left about \$150,000. Millard Fillmore is a wealthy man.

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A Night Excitement—A Whole Hotel Turned Upside Down by a Sudden Cry at Night that the "Lord was Coming."

[From the Dubuque (Iowa) Herald.]

The guests at the Lorimer House had a lively shaking up about 6 o'clock on Friday morning, but which fortunately turned out to be of a harmless nature, and, to look back upon, rather ludicrous. For about five minutes, however, times were lively, and there was the fastest getting out of bed that had been witnessed in Dubuque since the cold weather set in. The cause was a lady who had been seized with insanity during the night, and insanity of a religious nature, too. She stationed herself in the hall near the head of the stairs, and suddenly, in a loud and piercing tone of voice, called everybody to repentance, for the Day Star had come, saints, sinners and all. The lady is the wife of an old citizen of Plattville, Wisconsin. Her husband has just been the reverse from that assumed in the illustration presented in the beginning of this article, and I believe that Englishmen are always ready to meet us half way in all the social courtesies of life, and while I was pondering these things in my mind, we weighed anchor and steamed down the bay, homeward bound.

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Woolen Manufactures in the United States.

[From the report of the cotton manufacturers of the country.]

The woolen manufactures of the United States, there are in Pennsylvania, 457; New York, 252; Ohio, 233; Massachusetts, 187; Indiana, 175; Missouri, 156; Tennessee, 148; Kentucky, 125; Illinois, 109; Connecticut, 108; Maine, 107; Iowa, 85; Vermont, 68; Rhode Island, 65; Vermont, 64; Wisconsin, 64; Michigan, 64; North Carolina, 52; Georgia, 46; Maryland, 34; New Jersey, 39; Texas, 20; Utah, 15; South Carolina, 15; Alabama, 14; Arkansas, 13; Delaware, 11; Minnesota, 10; Kansas, 9; Oregon, 9; California, 5; Louisiana, 2; Florida, 1; and New Mexico, 1.

The amount of woolen manufactures during the year is reported at \$26,577,575; the total value of the materials used during the year was \$96,432,601, of which the amount paid for chemicals and dye stuffs was \$5,833,346. There were consumed during the year 17,311,824 pounds of foreign wool; 151,767,075 pounds of domestic wool; 17,561,629 pounds of cotton; 19,372,962 pounds of holly; 2,573,419 pounds of woolen yarn; 3,263,949 pounds of cotton yarn; 1,312,560 yards of cotton warp; 140,733 pounds of warp. The value of all other materials used was \$5,670,250.

Among the productions of these 2,891 establishments are 63,340,612 yards of cloth, cassimere and doekins, 58,905,289 yards of flannel, 1,941,866 yards of folded cloth, 2,683,767 yards of poplins, 2,853,458 yards of tweeds and twills, 14,078,559 yards of satinet, 520,692 yards of korseys, 24,489,935 yards of jeans, 14,130,574 yards of linsey, 1,332,382 yards of negro cloth, Number of pairs of blankets, 2,000,439; number of horse blankets, 58,553; number of carriage robes, 22,500; number of overalls, 225,744; number of shawls, 2,313,761; number of pounds of rolls, 8,683,097. Total value of production, \$155,405,958.

Cash vs. Credit.

The London Grocery News, in an editorial on "Ready Money," says: It is no use denying the fact that there is something very pleasant about ready money. A distinguished philosopher of the last century once made the remark that even the best of men cut occasionally a ludicrous figure when they have no cash in their pocket. Tradesmen are quite aware of that fact, and they are rather shy of that numerous, and in their way, we dare say, highly respectable class of people who are always at their wits' ends for the needful, and are accustomed, to borrow what, according to the late Montague Tigg, Esq., was the ridiculously small sum of half a crown. One would, however, arrive at a different opinion from the consideration of the way in which the business of the country is carried on. The retail tradesman has no right to give credit at all. Abstractly, and as a matter of ethical philosophy, it may be stated that no customer should purchase what he cannot afford to pay for. As a matter of fact, the very reverse is the case. Tradesmen give long credits, and half the people in England live and flourish, and out a dash by means of a paper credit in preference to cash payment. As it is, the system works badly in many ways. The tradesman makes bad debts, and loses his money, and the customer acquires a habit of extravagance, ruinous in every way. It has often been said, and said truly, that bankruptcy begins in the parlor. The reason of this is obvious. Mrs. B. sees no reason why she should not dress as smart as Mrs. A; why her children should not go to the same expensive school; why her house should not be in the same extensive quarters; why it should not be as well furnished; why she should not have as good a broom, and so on; but Mrs. A. lives on credit and hence her extravagance is easy. Mr. B., on the contrary, insists on paying cash and living within his means, and the result is endless controversy between himself and his better half. Conjugal differences lead to conjugal discomforts. Mr. B. caves in, becomes reckless, and the result is one fine morning a general smash, and a great weeping and wailing among the tradesmen whom he has favored with his immoderate patronage.

Small Pox.

A lady sent us the following simple remedy for the small-pox. We have therefore sent it to all of our subscribers. It is certainly worth trying, and our experience is that persons with the small-pox are not slow to try any remedy suggested. A correspondent of the Stockton (Ark.) Herald writes as follows: I herewith append a recipe which has been used to my knowledge in hundreds of cases. It will prevent, cure the small-pox though the pittings are filling. When Jenner discovered cow-pox in England, the world of science hurried an avalanche of fame upon his head, but when the most scientific school of medicine, that of Paris—published this recipe as a panacea for small-pox, it passed unheeded. It is as unfailing as fate, and conquers in every instance. It is harmless when taken by a well person. It will also cure scarlet fever; here it is given. I have used to cure the small-pox, when I have used to cure the patient must be kept in bed, and the patient must be fed with Sulphate of zinc, one grain; (dissolved) one grain; half a spoonful of sugar; mix with two table-spoonfuls of water. Take a spoonful every hour. Either disease will disappear in twelve hours. For a child, smaller doses according to age. If counties would compel their physicians to use this, there would be no need of pesthouses. If you value advice and experience, use this recipe for that terrible disease.

Agricultural.

The report of the Agricultural Bureau, just published, shows that the corn crop this year is an unusually large one. It is manifest that the corn crop is as large as that of 1870, and what the returns are all in a crop of one thousand one hundred million bushels will be indicated, in quality somewhat below the average. The season has been unpropitious for cotton, but not more unfavorable than that of the last season. The total product as indicated by the first week in November is made very nearly 9,450,000 commercial bales of 465 pounds. In potatoes the returns point to a decrease of five per cent, from the product last year, amounting to six million bushels. There has been a small increase in the hay crop, which will probably reach 25,000,000 tons.

I declare, Mr. B., it seems you have read everything. "Why, ma'am, after working thirty years as a trunk maker, it would be something to my shame if I didn't know something of the literature of my country."

Prof. Hilgard, of the Coast Survey, has found that a line drawn from Lake Erie, at the northeastern corner of Ohio, to Pensacola, in Florida, would divide the population of the United States, as it stood in 1870, into two equal parts. This line is nearly parallel to the line of the Atlantic Coast.

A Desperate Encounter with a Panther.

[From the Portland Oregonian, December 6.]

A professional hunter named Repza was out hunting this week on Martin's Island, down the Columbia. The hunter was accompanied by a young hound only, which started some animal a little distance away in the dense brush. Repza ran from the thick timber in which he was standing toward the edge of the water. A clear space of several rods divided the brush and the river margin. On reaching the bank Repza halted and placed himself in an attitude of defence. In a few minutes the hound emerged from the timber and came running toward its master. Immediately following the dog, and in hot pursuit, a large and ferocious panther bounded in sight. Repza raised his gun to his shoulder and fired. The ball took effect in the jaws of the animal, but did not induce any serious injury or retard its advance toward the hunter. On firing, Repza was wounded and infuriated animal sprang at him and "flicked" the hunter. The dog came to the rescue of his master, and made its own war for the panther that it abandoned Repza and turned on the hound. Repza waded out toward the bank, turned around, and fired the second barrel of his gun at the panther. The load was large buckshot, and took effect in the panther's side. The wound was very severe, but did not entirely disable the animal, which was getting the best of the dog. Seeing that the hound would soon be drowned, Repza resolved to rescue it if possible. He had discharged both barrels of his gun, and cast aside his large bowie-knife in the edge of the timber when he started to retreat to the water. No time, however, was to be lost, and Repza sprang into the river to save his dog. By this time the panther had lost much blood and was growing weak from exhaustion. The hunter, who was a powerful man, seized hold of the panther's head, and after a forced "tussle" broke its hold on the hound. The panther now turned on Repza. A long and desperate encounter ensued between the hunter, panther, and dog. At last Repza succeeded in keeping the animal's nose under water until it was quite dead; after which he drew the body to the shore and fainted from his wounds and exhaustion. The hunter was severely lacerated in the conflict, and has scarcely been able to leave his bed since. The hound is also badly torn.

To Distinguish Good Calico.

The cost of a yard of calico is a matter of considerable importance to the consumer who studies economy; but unfortunately there are those who, in wishing to practice frugality, deceive themselves in the idea that because an article is low in price it must be necessarily cheap. The result of this is a demand upon the manufacturer for low priced goods and he, to keep pace with the wants of his customers, introduces into his wares, when practicable, certain preparations calculated to hide the fineness of the products he is thus called upon to supply.

This system of "dressing and finishing," as it is called, is practiced at the present time to a greater extent than ever it was before, owing to the enormous advance in the price of cotton of late years. The most common calicoes are "dressed" with flour, china clay, etc., and are generally so artfully "filled" with one or other preparations as to be very deceptive to the inexperienced eye.

When, however, such a dressed fabric comes to be washed, the "extra fine finish," as it is not unfrequently called, disappears, leaving a soft, flabby and loosely woven texture in the hand, while the water in which it has been soaked is almost thick enough for bill sticking purposes. The finest "makes" on the contrary, contains scarcely any flour, and should never appear any worse for soaking in the wash tub.

In order to ascertain to what extent a plain calico is finished, we have but to rub a small portion of the piece to be tested sharply between the finger and thumb of each hand, for this "makes the powder fly," as the Manchester men say. If it be of the most common quality, a quantity of "dress" will be extracted, and we shall soon see that the threads are left as far apart as those in a sieve, crossing each other unevenly, and on places going off, as it were, in tangents. Then, if we draw out a single thread and pull it asunder, it will be found to break with a snapping. If, on the contrary, the calico is a good one, scarcely any dressing will come out of it on rubbing it; the threads will appear closely woven together; a single thread drawn out will rather burst than snap when pulled asunder, and the separate ends of such thread will present a fluffy appearance, while the whole piece will be firm and elastic to the touch.—Ohio Farmer.

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Poetry.

The Bewitched Terrier.

BY ARTHUR HORTON.

Sam Johnson was a called man, and when he lived down by the sea; He owned a fat terrier named Repza, That stood about one foot three, And the way that creature chawed up rats, Was gormless for to see.

One day the dog was slumbering Behind the kitchen stove, When suddenly a wicked flea— An ugly little creature— Commenced upon his faithful back, With many jumps to rove.

Then up arose that terrier, With frenzy in his eye, And wailing only long enough To make a touchy cry, Commenced to twist himself around, Most wonderfully spry.

That though he chawed up rats, And strained himself at that, His mouth was half an inch away From where the vermin sat. He did not mind the flea, He did not mind the flea, He did not mind the flea, He did not mind the flea.

The dog set up an awful howl, And twisted like an eel, Emitting cries of misery, As every self he felt, And tumbling down and jumping up, And turning like a wheel.

But still that most odious flea, Kept up a constant chaw, Just where he couldn't be scratched on, By any reach of paw, And always half an inch beyond His victim's snappy jaw.

Sam Johnson heard the noise, and came To save his faithful dog, But when he saw the critter spin— A barkin' all the while, He dashed his head against the wall, And then began to wail.

"The pup is mad enough," says he, "And lugger in his eye, He gave the vermin a good shake, A pair of awful cracks, That stretched him out upon the floor, As dead as carpet tack."

MORAL. Take warnin' by this terrier, Now turned to assiduous meat, And when misfortune's feet shall come Upon your back to eat, Beware, or you may die, because You can't make both ends meet.

Humorous.

To be an Editor.

Carlton, in his editorial poem, tells of an old farmer who made his way into the sanctum with a runt of a boy, who being good for nothing else, the farmer thought he would do for an editor. The poet tells the story:

The editor sat in his sanctum, and looked the old man in the eye, Then glanced at the grinning young hopeful, and mournfully made the reply: "Is your son a small unbound edition of Moses and Solomon both?"

Can he compass his spirit with meekness, and strangle a natural oath? Can he leave all his wrongs to the future, and carry his heart in his cheek? Can he do an hour's work in a minute, and live on a sixpence a week?

Can he courteously talk to an equal, and brook an impudent demagogue? Can he keep things in apple-pie order, and do half-a-dozen things at once? Can he press all the springs of knowledge with a quick and reliable touch? And be sure that he knows how much to know, and know how to not know too much?

Does he know how to stir up his virtue, and put a check rein on his pride? Can he carry a gentleman's manners within a rhinoceros' hide? Can he know all, and do all, and be all, with cheerfulness, courage and vim? If so, we perhaps can be making an editor out of him."

The farmer stood curiously listening, while he pondered his strange o'ersprawl, And he said: "Jim, I guess we'll be goin' in," he's probably out of his head.

Many years ago, in Buffalo township, Union county, Pa., there lived a couple of old fellows, of the name of Bob Mackey and Simon Pickle. Not being strictly pious they crossed Buffalo Mountain one bright Sunday morning to White Deer Creek to fish for trout. Tradition saith not what their luck was; but a few weeks afterward an itinerant Methodist preacher held services at the Union School-house, as there were no churches in that neighborhood in those days, and church services were few and far between. The school-house was crowded, and among them were present Bob Mackey and his companion, Simon Pickle.

After the first exercises the preacher announced his text, "Simon Peter went a fishing." He repeated it, "Simon Peter went a fishing." The old man Pickle was sitting in front, near the desk. After the second announcement of the text, he jumped up, went stumbling out, stamping his cane down, and just as he got to the door, he turned round, and in a loud voice exclaimed: "Yes, and Bob Mackey went along!"

A more or less worthy Scotch wife was remonstrated with by her minister for her habit of beating her husband. She explained that her husband's conduct was not what it ought to be. The minister, recommending kindness and forgiveness, enjoined her no more to use her fists and nails, but "to heap coals of fire upon his head." "Well, minister," replied the now enlightened wife, "since you say so, I'll try the coals, but I may call ye that, two or three bottles of boiling water has wrought nae improvement."

The following letter, verbatim et literatim, was received by an undertaker, recently, from an afflicted widower: "Sir—my wife is dead and wants to be buried to-morrow. At wonder-lik the side of my too Other wife—Let it be deep!"

An editor says he once partook of a beverage so very strong that he could not tell whether it was brandy or a torchlight procession that was going down his throat.

The People's Press.

SALEM, N. C.

THURSDAY, JANUARY 23, 1873.

It will be seen from the published correspondence in this issue, that Mr. McIver, the Superintendent of Public Instruction, who was appointed by Gov. Caldwell to fill the unexpired term of S. S. Askley, refused to vacate the office in favor of Kemp P. Battle, recently appointed by Gov. Caldwell. The correspondence explains itself.

We seem to have a State Constitution and Laws, in these latter days, concerning the interpretation or meaning of which there are too many conflicting opinions; and yet it seems to be a very difficult matter to bring about a different state of affairs.

A HOPEFUL SIGN.—The Charlotte Observer thus speaks of the appointment of Kemp P. Battle, Esq., Conservative, as Superintendent of Public Instruction: "The appointment of Hon. Kemp P. Battle as Superintendent of Public Instruction, will give general satisfaction. He is 'intelligent, educated and honest.' A native North Carolinian, free from partisan bitterness, and full of energy, he will no doubt do much towards advancing the greatly neglected cause of education in this State."

This appointment shows that his Excellency, Gov. Caldwell, is getting into a healthy state of mind relative to the discharge of the grave duties which devolve upon him as Chief Executive of North Carolina. It is a good sign when a Republican Governor has the moral courage to disappoint the numerous office-seekers in his own party and appoint a man from the ranks of his political opponents. He is the only Republican Governor in the South who would have done such a thing; and he deserves commendation for it."

The President of the United States, says the Wilmington Journal, "has had an opportunity, which he did not fail to improve, to pay off Senator Schurz for his temerity in condemning the President's official course and joining the Liberal movement. Some days since Congress passed a bill for the relief of Carl Jussen—Mr. Schurz's brother-in-law. For once in his life the President forgot his favorite doctrine that the Executive should have no policy opposed to the will of the people as expressed by their Representatives in the National Legislature; and promptly vetoed the measure. What a glorious triumph over a political antagonist. The American Caesar avenges himself upon his enemies by withholding from their relatives and connections money to which Congress says they are justly entitled."

FARM WORK FOR JANUARY.—Under this head, an exchange has the following sensible remarks: "This first month of the year, we should form good resolutions; determine to exert all our energies to promote success in our honorable avocation; to review all our errors in farming the past year, and endeavor to correct them; lay out our plans for the year; be sure in doing so, not to aim at working more land than we have the means of working thoroughly, and the crops got in and cultivated and harvested in order and at the right times; leaving the fruit of our hopes to a benign Providence and we may be assured we shall not fail. Bad management is much oftener the cause of crop failure than bad seasons."

Having collected all the important news of the week, and still having some space left, and any number of accounts we would like to get off our books, we concluded to advertise for a collector. If any person can "fill the bill" below, notwithstanding the roguish and rascally times, he's our man; provided there be no other difficulties in the way. We clip from an exchange:

HOW TO BE A GOOD COLLECTOR.
Be on time to the minute when the debtor says, "come to-morrow at nine o'clock." Sit on the steps and wait for his return when he says "I am just going out to dinner."

Insist on stepping out to make change when a man "has nothing less than a twenty."

Go in an "old stager" everyday for a month with a cheerful countenance "about that little account."

Don't mind edging into a crowd to ask a fellow.

Take a dollar in part if you can't get ten in whole, and "credit it with alacrity."

Always suggest a check when the money is not in hand, as he can get it "cashied" to-morrow.

Always have that account on "top," so that the man can have no excuse for putting you off.

Don't mind asking for it immediately after being "treated," or pleasantly entertained.

Never be in a hurry—"I will wait till you get through."

Cough or salute when the "hard case" wants to pass without seeing you.

In fine, be patient as a post, cheerful as a duck, asable as a flea, bold as a lion, weather-proof as a rubber, cunning as a fox, and watchful as a sparrow-hawk.

VACCINATION.—In these times, when that loathsome disease, small-pox, is prevalent in so many sections of the country, all persons should avail themselves, as much as possible, of the benefits of vaccination, which has been proven to be of inestimable value. Vaccination holds good, it is said, seven years, and should then be renewed.

A Baltimore physician says: I would certainly advise every resident of the city to be vaccinated, whether they have a good mark on their arms or not, and if it does not "take" repeat it again and again. For many years vaccination may not be successful at one time, whilst at another it may be.

The President has pardoned David Ramo, of N. C., who was sentenced for eight years to the Albany penitentiary.

North Carolina Legislature.

(Compiled from the Raleigh Sentinel.)

The SENATE was called to order on Wednesday last by Lieutenant Governor Brodgen. There being a quorum present, the body went to work immediately, by introducing new bills, and taking up the calendar; several unimportant bills passed second reading. This shows a determination to go to work as rapidly as possible, and use all means in its power to expedite the business before it.

The House also had largely over a quorum. 98 members answered to the roll call. A Memorial was handed in from Grand Jurors of Clay county, asking for the removal of R. M. Henry, Solicitor of that Judicial District, (12th) for drunkenness and inattention to the duties of his office. Also a resolution by the same gentleman, based upon memorial, impeaching said R. M. Henry, for high crimes and misdemeanors. Referred to Judiciary Committee.

Mr. Badger introduced a bill relative to exchange of stocks, which the State owns in Railroad corporations, &c., for bonds with which said stocks were obtained. The special tax bonds were received.

Mr. Brown of Davidson, introduced a bill submitting, separately to the voters of the State, the various amendments contained in the bill now pending in the House.

A large quantity of business was transacted in the Senate on Jan. 16th.

Mr. McIver, of Guilford, presented a memorial from the County of Guilford, in support of a bill, in favor of general prohibitory laws in relation to the sale of spirituous liquors.

Mr. Ragsdale, of Guilford, presented a memorial from the citizens of Guilford county, praying for amendments to the act creating that county.

A message was received from the Governor, transmitting a communication from Alex. McIver, Superintendent of Public Instruction, charging Hiram E. Stille, Senator elect from the second Senatorial District, with improperly obtaining money from the Peabody Educational Fund.

A message was received from the Governor, accompanied by a memorial, proposing a Branch Insane Asylum at Morganton, in Burke county.

Bills, &c., were introduced as follows: By Mr. Humphrey, to protect the taxpayers of the State and to save the Public Works.

By Mr. Ragsdale, to amend the act requiring Superior Court Clerks to keep their offices open every Monday for probate business.

By Mr. Nicholson, to define the powers and duties of County surveyors.

By Mr. Morehead, of Guilford, to provide for returns of money paid out of the educational fund under the present school laws.

Among the bills passed were the following:

The bill in relation to taking depositions by justices courts passed its second reading.

The bill providing for a general law to enable Sheriffs and tax collectors to collect arrears of taxes was re-committed.

The bill to repeal the act of 1871-2, in relation to roads, passed its second reading.

The bill to exclude from the operation of the act for the protection of deer in the counties of Ashe, Watauga, Jackson and Surry passed its second reading.

The bill to prevent the felling of trees below high water mark in Haw River and certain of its tributaries also passed its second reading.

In the House, Mr. Waugh of Surry, presented a petition from certain citizens of that county asking aid for the completion of a road through Thompson's Gap in that county. Referred.

Several citizens of Mecklenburg asked for a fence law. Referred.

Mr. Wheeler introduced a resolution providing that each of the proposed amendments to the Constitution shall be voted upon by the Legislature separately.

Mr. Craige, a bill to confer jurisdiction upon Justices of the Peace to issue proceedings supplementary to execution. Referred.

Mr. Byrd, a bill to prevent the traffic in county claims. Referred.

Mabson, col. a bill to alter sec. 45, chap. 189 of school law. Referred.

A message was read from the Governor transmitting a petition from many citizens of Burke county, asking for the establishment of a branch Asylum for the Insane in the town of Morganton, which petition, was on motion of Mr. Waugh, transmitted to the Senate.

CALENDAR.
A resolution concerning soldiers who served in the war of 1812. [Petitions our Senators and Representatives in Congress to urge upon that body the amending of the pension laws so that its provisions can apply to said soldiers.] Read and passed its several readings.

Senate bill for the relief of certain school teachers. [This bill provides for the payment of teachers of public schools to whom wages may be due for services rendered prior to the passage of this act transferring the public school money from the State Treasury to county treasuries.] This bill passed its third reading.

The bill amending the general incorporation act was taken up and passed its second and third reading.

The Senate bill allowing the U. S. Government to purchase lands in North Carolina for the purpose of erecting light-houses, &c., was taken up, the rules suspended and the bill passed its several readings.

In the Senate on the 17th, the following bills, &c., were introduced:

Mr. Nicholson, to provide for the election of finance committees for the several counties.

Mr. Humphrey, instructing the judiciary committee to enquire into the constitutionality of sec. 28, chap. 60, laws of 1869-70.

Mr. Fleming, looking to the establishment of a Bureau of Agriculture and Immigration.

Mr. Murray, for an enquiry into the efficacy of the law to secure proper accountability in clerks, sheriffs, &c.

The engrossed bill providing for depositions in cases before justices courts passed its final reading.

Also the bill to repeal chap. 89, laws of 1871-72.

The bill to repeal the trout laws was passed.

The bill to repeal the "deer law," except as to certain counties, passed its second reading, and on its third reading was informally passed over.

Nothing of general interest in the House.

postponed, &c., the bill to incorporate "Middle & North Carolina Railway Company." This bill proposes to charter a company of English and other foreign and home capitalists to build a railway from Beaufort harbor to Memphis, Tenn. The scheme is a gigantic one and will be noted by our Senate Reporter at some length when it comes up on its third reading, the merits of the bill not having yet been discussed.

A resolution was introduced urging upon our Senators and Representatives in Congress to use their efforts to secure the passage of the educational bill now pending in Congress.

In the House petitions were presented from certain citizens of Buncombe, praying the Legislature not to interfere in the matter of the sale of the Western N. C. Railroad.

Mr. Turner introduced a bill to amend the act providing for a cheap chattel mortgage.

Mr. Badger, a bill to regulate procedure in criminal actions.

The bill extending the time for obtaining grants of land passed its second and third readings.

In the Senate on the 20th nothing of much importance.

Mr. Merrimon, a resolution on adjournment. Lies over under the rule.

The resolution provides for the adjournment of the General Assembly at 6 o'clock, A. M., on February 17th.

By Mr. Powell, a resolution asking our Senators in Congress to use their influence in securing the passage of the Educational Bill now pending in the United States Senate, was taken up and passed.

The resolution providing for the raising of a joint committee to cancel and burn the vouchers in the Auditor's office, taken up and passed.

Under a suspension of the rules Mr. Cunningham called up the bill to amend chapter 185, laws of 1868-69, in regard to townships. Allows an appeal from the Board of Township Trustees, to the County Commissioners in the matter of laying out and discontinuing highways.

Mr. Cunningham advocated the passage of the bill. Passed its several readings.

Under a suspension of the rules Mr. Grandy called up his bill to charter the North Carolina Construction Company, stating that it was secondary to the charter granted the New York, Norfolk and Charleston Railway Company; and was necessary to facilitate the construction of the above road. Lost.

On motion of Mr. Allen, the vote by which the charter of the North Carolina Construction Company was lost, was reconsidered and the bill referred to the Committee on Internal Improvements.

Under a suspension of the rules, Harris, colored, called up the House Bill to make enticing of minors to leave their homes without consent of guardians or parents, a misdemeanor.

An amendment was offered by Mr. Guder, that the Justice of the Court, before whom the guilty party was tried, should fine the defendant not to exceed \$50 nor imprison him more than one month.

The bill with amendments passed its second reading.

On motion of Mr. Seymour, the bill was referred to the Judiciary Committee.

In the House, Mr. Waugh presented a memorial from citizens of Surry and Alleghany, asking the extension of the Marion and Asheville Turnpike Road.

The bill to authorize the consolidation of the North Carolina Narrow Gauge Railroad Company with the Chester & Lenoir N. G. R. R. Co., passed its several readings.

The special order, being the resolution to relieve W. W. Holden of the disabilities imposed upon by the Court of Impeachment, was taken up for consideration, and made the special order for Tuesday next.

The bill to repeal the Usury law was taken up, but not disposed of, when the House adjourned.

Bloody Battle with the Modoc Indians—Captain Jack Victorious—Federal Loss.

SAN FRANCISCO, Jan. 20. — A dispatch from Uroka to-day states that a messenger had just arrived at that place from the headquarters of Gen. Wheaton, commanding the troops in the action against the Modoc Indians, stating that a severe battle was fought last Friday by the troops under the command of Gen. Wheaton, consisting of about four hundred men.

The battle took place near the Eastern shore of Tule Lake. Capt. Bernard on Thursday went around the north end of the lake to the east side, and to the east of Capt. Jack's position. He was to advance against Capt. Jack from the east, and Gen. Wheaton from the southwest, the force of the latter to be under cover of the fire of the howitzers. On Thursday night such a dense fog enveloped the country that they could not see forty yards. The two forces were about twelve miles apart, though to communicate with each other it was necessary to go to a much greater distance.

On Friday morning Capt. Bernard opened battle against Capt. Jack, who had about 200 warriors concealed among the rocks along a line of two miles in length. Gen. Wheaton heard the firing and had no alternative but to move to the aid of Capt. Bernard with five of his howitzers. The troops fought the unseen foe from eight o'clock in the morning till dark under a terrific fire, during which scarcely one Indian was seen.

The loss to the troops was forty killed and wounded. The loss to the Modocs is unknown.

The troops were finally obliged to retreat to their camp. Captain Bernard's men bore the brunt of the battle and suffered terribly. All the cavalry fought on foot.

The movement is called a forced reconnoissance of Captain Jack's position. The leaders say they think about 1,000 men will be required to dislodge him from the lava beds.

The troops for the present will only try to prevent the Modocs from raiding on the settlement and will wait for reinforcements.

Frank Blair is beaten for the Missouri Senatorship. On Monday Mr. L. V. Boggs received the Democratic caucus nomination, which is equivalent to an election. The vote stood: Boggs, 64; Blair, 47.

Col. Hurlburt estimates that twenty thousand people left Georgia in the last two years. The railroad agent at Dalton reports that four hundred emigrants had left that place in six months.

There were in New York city during the past year, one hundred and forty suicides, two hundred and six deaths by drowning, fifty-seven homicides, and seven hundred and five deaths by accidents.

CONGRESS.

SENATE, Jan. 15th. — A minority of the finance committee submitted a report that Boutwell had a right to issue legal tenders heretofore withdrawn. To be printed.

Alcorn introduced a bill authorizing the Secretary of War to compromise and settle all pending claims of the government against Southern railroads. Referred to the committee on the judiciary.

HOUSE. — The resolution was adopted instructing the Mobilizer committee to enquire whether any member of Congress had been paid as an attorney for the Pacific railroad, and whether railroad money had been used for the election of any member of Congress.

The legislative appropriation bill passed. SENATE, Jan. 16th. — The bill fixing the second Monday in October for the opening of the Supreme Court passed.

Morton offered a resolution instructing the committee on privileges and elections to enquire whether there is a legal State government in Louisiana, and if so by whom constituted. He said he was authorized by the majority of the committee to offer the resolution. He stated that the design of it was to give the committee authority to go into the whole subject matter of the investigation already commenced by them.

Salisbury offered an amendment directing the committee, if they found no legal government existing in Louisiana, to enquire when it ceased to exist, and whether any Federal officer executive or judicial, had anything to do with overthrowing it. The amendment was lost. Morton's resolution was then adopted.

The House bill admitting Colorado as a State was discussed without action.

The bill establishing a territorial government for the Indians of Oklahoma was tabled. This seriously affects the railroads from North to South leading into Texas through the Indian territories.

The bill amending the Agricultural College Act, extending the time for granting lands passed.

The Senate, Jan. 17th. — Considered the Vienna exposition appropriation.

Mr. Carpenter withdrew his amendment appropriating \$300,000 to the Washington monument, expressing his doubts of the possibility of completing it, on account of the soft ground under the monument.

Mr. Morton made an elaborate speech upon his resolution directing the committee on privileges and elections to enquire into the defects of the presidential elections and the best means of remedying them.

Mr. Trumbull replied, agreeing with Morton in some respects, but dissenting from some of his views as to the proper remedy. The founders of our government, he said, intended to found a republic, not a pure democracy. It was not intended the majority should have all the power; and to put the government on that basis would prepare the way to a despotism.

The matter went over.

HOUSE. — Private bill day.

No session of Senate on the 18th.

HOUSE, Jan. 17th. — The Committee on Claims to-day decided the Cowan and Dickinson cases, involving cotton used for fortification purposes. It places cotton so used on a footing with lumber taken for fortification purposes.

A syndicate composed of Jay Cooke & Co., the Rothschilds, and others, submitted a proposition to Boutwell to-day to take three hundred million dollars of five per cent. Boutwell reserved his decision until after next Tuesday's Cabinet meeting, but in no case will he place more than one hundred millions on the market.

The testimony in the Credit-Mobilier corruption case was ordered to be printed.

Letter from Mr. Lamar, of Savannah, regarding the cotton claims, was ordered to be printed.

A bill for the relief of sufferers by the destruction of certain salt works in Kentucky, done by order of Major-General Buell during the late war. The bill was passed—yeas, 105; nays, 43.

Mr. Blair also reported a bill for the relief of East Tennessee University; which was passed.

The House, on reconsideration, passed the bill for the relief of the estate of Dr. John F. Hawks, over the President's votes, 128 to 17.

On the 20th, in the House, documents accompanying the President's message on Louisiana affairs printed. Judiciary Committee takes hold of the matter immediately. Cotton tax bill introduced, and referred to Committee of Ways and Means.

Bill to relieve the disabilities of Col. Thomas Hardeman.

SENATE unimportant.

The following description of a beautiful painting by one of the most accomplished men of the State, we take from the *Hickory Tavern Eagle*:

Rev. Mr. Eitel, on Christmas day, placed in the channel of St. James' Church, Lenoir, Caldwell county, the result of nearly two years' labor, and presented it to the church. The work consists of a painting and its frame. The painting, on a background of gold, shows the Saviour offering bread and wine to a male and a female communicant, and is characterized by the same depth of religious feeling and faithfulness of rendering that, in his former painting, have given the distinguished artist so high a rank among the professors of Christian art. Beautiful as the picture is, however, it is more than matched by the exquisitely carved and elaborated frame. This is an architectural design and reminds one of the portal of some medieval cathedral. There are the arch and pillars of the doorway—the buttresses and the sloping roof—the lofty spire and the cross that crowns the structure. Over the picture, forming the arch, is a strikingly natural representation in chestnut wood, of grapes and heads of wheat. The fruit—the foliage and even the tendrils of the former being carved with an exactness that would be surprising even were the material better adapted to a work of such infinite delicacy. The slopes of the roof are adorned with crockets, seemingly alike, but in truth each in some slight particular varying from the other. On each side of the roof are pinnacles—back of them stand two angels—with wings folded as if they had just alighted there—and crowning the whole towers a double cross. On every part of this masterpiece, composed of over four hundred pieces of wood, chestnut, oak, poplar, holly, cherry, beech and pine—where work could be put, it has been lavished. Every part susceptible of ornamentation has been beautified by the touch of carving tools wielded as deftly as the artist's brush. Flowers of many kinds are here, the rose and cactus bush—in cherry and the tulip blooms in yellow poplar, while over various parts of the structure the climbing ivy throws its veil. No carving of so lofty design or skillful workmanship beautifies the channel of any church in America, and the costly cathedrals of Europe can boast of few ornaments as splendid as this.

GENERAL NEWS.

Singular Mortality in a Family.
The Rev. Dr. Amos Converse, editor of the Louisville (Ky.) and formerly of Philadelphia, died at Louisville on the 9th of Dec. after a four days' illness. The intelligence of his death reached a relative of his in Burlington, Vt., on the 10th, and he communicated it by letter to another relative, Governor Converse, of Vermont, then at Woodstock, in that State, on the same day. The letter reached him on the 13th, on which day his wife, who was standing by his side, after reading the letter, suddenly fell dead on the floor; no previous intimation of disease having been given. The Governor's niece, Miss Lura E. Edson, who had lived for many years in his house, was absent at the time, being on a visit to Burlington, Vt. A telegraphic dispatch was sent to the lady whom she was visiting, so that the news might be broken to her kindly; but although this was done in the kindest manner, the young lady was so overcome by the shock that she became unable to swallow anything or to sleep. She could not start for Woodstock that evening, as the last train had departed; but the next morning the lady escorted Miss Edson, by rail to Woodstock, the latter taking a violent chill on the road. Miss Edson, on her arrival at her uncle's, was just able to kiss the lifeless features of her aunt and retire to bed, where she lay gradually sinking, until the 21st of December, when she died. Her mother, who was sister to Mrs. Converse, and had long lived with her, went out with watching and grief, thereupon took to her bed, and died on the 1st of January. And thus Governor Converse, who is universally beloved and respected, has been bereaved of his entire family. He was elected Governor of Vermont by a Republican majority of 20,000.

Mrs. Wharton's Trial.—A STRANGE FATALITY.—ANNAPOLIS, Jan. 15.—A JURY has been obtained in the Wharton case and the trial has commenced. A curious fatality attends the trial of this prisoner. During the trial for the murder of Gen. Ketchum, several deaths occurred in the families of the jurors, and last evening, the deputy sheriff, after leaving court, going home, was drowned in the Severn river by the breaking of the ice. The deceased has a brother on the present jury. Attorney General Lyoster was called away from the trial on Monday, on account of the illness of his mother-in-law, Mrs. Susan Harvey, of Hagerstown, and that lady had died before he reached her home.

Gov. Walker, of Virginia, in his message, recommends the equalization and correction of assessments and the more thorough assessment of personal property by which the total assessed valuation of real and personal property will reach \$400,000,000; the annual tax upon which will be \$2,000,000. The tax from other sources is estimated at \$800,000, making a total revenue of \$2,800,000, of which \$400,000 is to be appropriated to schools, leaving a balance of \$2,400,000 available to pay the interest on the public debt and pay the current expenses of the State Government.

SAN FRANCISCO, January 13.—In the battle of some of the companies of the Fifth United States cavalry with Apaches, on the 29th ultimo, near Salt River, not a warrior escaped. All of the band were killed and twenty-five women and children captured.

A New Mexico freight train for Campbell was attacked by the Apaches, and a wagon-master killed at Penos Allos. The Indians also killed some white men, and were afterwards seen on the reservations wearing the cloths of the murdered men.

PHILADELPHIA, Jan. 15.—A fire occurred this morning at the late residence of Edwin Forrest. A portion of the library was destroyed including nearly all the valuable Shakespearean collections. The famous original copy of Shakespeare, which Mr. Forrest always kept in a glass case, was burned in 1823 and was valued at \$5,000.—The fire did not extend beyond the library, and originated in a defective flue.

During the past year 2,000 pounds of walnut kernels were shipped by rail from Broadway Depot in Rockingham county, Va. They sold at thirty cents per pound, bringing the handsome sum of \$600; for these small and seemingly worthless things. The Register says: "These walnut kernels were gathered mainly by poor children in Brock's Gap, who had no other way in which to turn an honest penny." They are used in making candy.

J. Taylor, of Athens, Tenn., has invented a new gun capable of throwing 4,000 balls per minute; first, blanks and loads all with the same motion. At a recent trial of this gun at the Brooklyn Navy Yard it was declared a success, and far superior to the celebrated Gatling gun.

The native born residents of the United States, in a careful census return of each State, make an aggregate of nearly 33,000,000. The foreign born population, gives a little over 5,500,000, of which the Germans claim 1,890,553, Great Britain 766,292, and Ireland 1,847,327.—*Wilmington Journal.*

Nearly seven thousand men and one thousand horses are gathering in on the Hudson, and it averages eleven inches in thickness. About 9,500 tons are gathered in a day. The crop will reach 1,500,000 tons, and will be gathered by the 1st of February.

On the farm of Mr. Harrison Whaley, of Lumpkin county, innumerable bones have been found, evidently the remains of an extinct species of the human race, far more gigantic than the race that now inhabits the earth.—*Alabama Exchange.*

The number of Assistant Assessors on December 1, 1872, was 1,375, and on the 1st of January, 1873, the number was 1,110, showing a reduction of 225 in one month. The reduction will go on steadily until July 1, when all Assessors will be dispensed with in accordance with the provision of the new Internal Revenue law.—*Wilmington Journal.*

A London letter says that the retirement of Bismark from the Prussian cabinet is really due to the difference arising between him and Emperor William on the church question. The Kaiser became alarmed at Bismark's course towards the Catholics and declined further to follow the Prince in his policy.

THE CADETS TO BE PRESENT.—The Secretary of War has written to the superintendent of the Military Academy giving authority to have the cadets at West Point present in Washington city on the 4th of March, to participate in the Inauguration ceremonies.

On Christmas morning, near Swanano, 15 miles from Asheville, Mr. Millington Lytle was killed by Mr. Lewis Ingram.

Important Correspondence by the President.

WASHINGTON, Jan. 17.

By the President of the United States—Executive Order.
WHEREAS, it has been brought to the notice of the President of the United States, that many persons, holding civil office by appointment from him, or otherwise under the constitution and laws of the United States, while holding such Federal positions, accept offices under the authority of the States and Territories in which they reside, or of municipal corporations under the charters and ordinances of such corporations, thereby assuming the duties of the State, Territorial or municipal office at the same time that they are charged with the duties of the civil office held under Federal authority.

And Whereas, it is believed that, with few exceptions, the holding of two such offices by the same person is incompatible with a due and faithful discharge of the duties of either office; that it frequently gives rise to great inconvenience and often results to detriment to the public service, and moreover is not in harmony with the genius of the government.

In view of the premises, therefore, the President has decreed it proper that and hereby to give this notice, that from and after the fourth day of March, A. D. 1873, except as herein specified, persons holding any Federal civil office by the appointment under the constitution and laws of the United States, will be expected, while holding such office, not to accept or hold any office under any State or Territorial government, or under the charter or ordinances of any municipal corporations; and further, that the acceptance or continual holding of any such State, Territorial or Municipal office, whether elective or by appointment, or any person holding civil office, as aforesaid, under the government of the United States, either than Judicial offices, under the constitution of the United States, will be deemed a vacancy of the Federal office held by such person, and will be taken to be and treated as a resignation by such Federal officer of his commission or appointment in the service of the United States. The office of justice of the peace, of notaries public and of commissioners to take the acknowledgment of deeds, of bail, or to administer oaths, shall not be deemed within the provision of this order and are excepted from its operations and may be held by Federal officers.

The appointment of deputy marshals of the United States may be conferred upon Sheriffs or Deputy Sheriffs, and deputy postmasters, the emoluments of whose offices do not exceed six hundred dollars per annum, are also excepted from the operations of this order, and may accept and hold appointments under State, Territorial or Municipal authority, provided the same be found not to interfere with the discharge of their duties as postmasters.

Heads of departments and other officers of the government who have the appointment of subordinate officers, are required to take notice of this order and to see to the enforcement of its provisions and terms within the space of their respective departments or offices, and as relates to the several persons holding appointments under them respectively.

By order of the President,
(Signed) HAMILTON FISH,
Secretary of State.

Washington, Jan. 17th, 1873.

IMPORTANT CORRESPONDENCE.
Prof. McIver Declines to Vacate the Office of Superintendent of Public Instruction.

Gov. Caldwell has appointed Hon. Kemp P. Battle, Superintendent of Public Instruction. Below we publish the correspondence between Mr. Battle and Prof. McIver. It will be seen that the latter refuses to surrender the office.

Raleigh, Jan. 15, 1873.
Dear Sir:—Having received from his Excellency, Gov. Caldwell, a Commission appointing me Superintendent of Public Instruction, of the State of North Carolina, and taken the oath required by law, I respectfully notify you that I will be ready to take charge of the office on to-morrow.

Having derived great pleasure as well as profit from the pursuit of your exceedingly able report to the present General Assembly, I hope, and from our friendly relations, believe, that you will continue to aid me with your valuable counsel.

KEMP P. BATTLE,
Supt. Public Instruction.

Office Supt. Pub. Instruction,
Raleigh, N. C., Jan. 16th, 1873.
Hon. Kemp P. Battle:

Dear Sir:—I have the honor to acknowledge the receipt of your letter of the 15th inst., giving notice of your appointment by his Excellency Gov. Caldwell.

Assured as I am, from an acquaintance with you of more than twenty years, of your eminent fitness for the duties of the office of Superintendent of Public Instruction, I would cheerfully surrender the office to you if I believed that my term of office had expired, or that the commission under which you claim is legal.

By the first section of Article III of the State Constitution, the term of office of all officers of the Executive Department shall commence on the first day of January next after their election, and continue until their successors are "elected and qualified."

By section 13 of the same article: "If the office of any of the officers shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be 'elected and qualified.'"

An officer is one who is invested with office.

Mr. Reid had not been invested with the office, and, therefore, he was not an officer. The office of Superintendent of Public Instruction never became the office of Mr. Reid, and therefore was not vacated by his death or otherwise. The constitution continues the term of the present incumbent, and no vacancy has occurred. It is reasonable that the constitution should designate the person, if it has a suitable person on hand, to continue in office in case the person dies or refuses to qualify; and the Constitution of North Carolina does this very thing. It continues the term of the incumbent until his successor is "elected and qualified." No vacancy occurred, and his Excellency had no authority to grant the commission to which you refer; and for that reason the commission is null and void.

I, therefore, most respectfully decline to surrender to you the office of Superintendent of Public Instruction.

Sincerely yours,
ALEXANDER McIVER,
Supt. Pub. Instruction.

